

**REMARKS**

Claims 1-29 are pending in this application. Claims 1-29 stand rejected. In light of the remarks set forth below, Applicants respectfully submit that each of the pending claims is in immediate condition for allowance.

Claims 1-5, 7, and 15-23 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,281,756 ("Kawashima"). Applicants respectfully request reconsideration and withdrawal of this rejection.

Claims 6 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawashima in view of U.S. Patent No. 6,031,174 ("Takabayashi"). Applicants respectfully request reconsideration and withdrawal of this rejection.

Claims 8-14 and 24-29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawashima. Applicants respectfully request reconsideration and withdrawal of this rejection.

Among the limitations of the above-recited claims not present in the cited reference are:

(a) a plurality of performance operators for generating musical tone signals in response to user's performance are arranged to be apart from the main unit of the apparatus;

(b) a plurality of performance operators are each arranged apart from each other; and

(c) a plurality of users can independently and respectively operate the performance operators.

Kawashima discloses an electronic musical instrument with performance operators such as pads as shown in Fig. 1. However, Kawashima does not disclose the configuration of the claimed musical instrument. In Kawashima, a plurality of pads P0-P4 are arranged to be simultaneously separated from the main body of a musical instrument and are arranged to realize easy access by the player. Col. 7, Ins. 15-18. (emphasis added) As shown in Figure 1 of Kawashima, pads P0-P4 are a single block named "PAD". Kawashima does not clearly describe that the plurality of pads P0-P4 are arranged or can be arranged apart from each other so as to accommodate to a plurality of players. As such, Kawashima does not describe that a plurality of pads are arranged to be separated from each other as explicitly required by Applicant's claims.

Kawashima states that the pads P0-P4 may be placed as desired by the player at a location easy to access by the player. However, this states that the plurality of pads P0-P4 are operated by a single player, not a plurality of players. As such, Kawashima discloses that a single player operates the plurality of pads P0-P4 which are collectively arranged at a certain location allowing the player to easily operate an electronic musical instrument.

Based on the Kawashima's description at column 7, lines 15-18, the plurality of pads P0-P4 are collectively and manually operated by a single player; that is, Kawashima's invention is not designed to accommodate a plurality of players who independently and respectively operate the pads. In short, the electronic musical instrument disclosed by Kawashima is designed such that only a single player operates the plurality of pads P0-P4, which are therefore collectively arranged to accommodate to a single player. Thus, Kawashima completely fails to teach the aforementioned points (b) and (c) of the present invention.

In contrast, Applicants explicitly recite that there are a plurality of performance operators arranged apart from each other and that each of the performance operators

allows the user to play a musical performance. Thus, Kawashima fails to disclose or indicate these features and claims 1-5, 7, and 15-23 are allowable over the cited reference.

As discussed above, Kawashima fails to disclose each and every limitation in the independent claims from which claims 6 and 16 depend. Takabayashi was not included to cure the deficiency but to show additional features which, even if it were to show, fail to cure the deficiencies discussed above. Takabayashi is directed to a sound generation method in which the user operates game pads so as to select performance data in units of phrases so that the selected performance data are read out so as to produce sound. Herein, the user merely selects desired performance data but does not directly play performance by striking performance operators and the like. That is, Takabayashi's invention is quite different from the musical tone signal generation apparatus that generates musical tones based on the user's performance. Therefore, Applicants respectfully submit that claims 6 and 16 are allowable over the cited references.

As discussed above, Kawashima fails to disclose the plurality of performance operators arranged apart from each other and each of the performance operators allows the user to play a musical performance. These explicitly recited claim limitations are not disclosed in Kawashima. Therefore, Applicants respectfully request that the Examiner reconsideration and withdraw the rejections to those claims.

In the previous response to the official action, independent claims regarding a musical tone signal generation apparatus of the present invention are amended to clarify the following points.

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Applicants have responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

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Respectfully submitted,

By

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